Prepared by J. R. Schulman Atty
5th & Union St
Nash. Tenn

BOOK 5112 PAGE 378

DESIGNATION OF SUCCESSOR TRUSTEE

WHEREAS, by agreement dated the 20th day of July, 1972, by and between Reynold Bubis of Nashville, Tennessee, David Pollack of Nashville, Tennessee and Martin Bubis of Nashville, Tennessee, as Trustors, and Martin Bubis of Nashville, Tennessee, as Trustee, certain property was acquired by deed from Robert L. Freeman, Trustee, to Martin R. Bubis, as Trustee, for the benefit of the Trustors of record in Book 4648, page 396, Register's Office for Davidson County, Tennessee, in accordance with the terms thereof, and

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WHEREAS, Linbar Homes, Inc., a Tennessee corporation, has acquired the interest of David Pollack in said joint venture and Harriett Bubis has acquired the interest of Martin Bubis in said joint venture, and

WHEREAS, under the terms of Paragraph 10 of said instrument, if the Trustee named is unable to serve as such Trustee for any reason, then in that event, the Trustors, their successors, assigns or personal representatives as beneficiaries may designate a successor trustee by reference to said instrument and such successor trustee shall have all the power and be charged with all the duties as set forth in said agreement, and such successor trustee shall acquire title to all property in his name as Trustee pursuant to the terms of said agreement upon the recording of a written instrument in the Register's Office for Davidson County, Tennessee, or such other county in which the property owned is located designating such successor trustee, and

WHEREAS, Martin R. Bubis as Trustee under said agreement desires to resign as such Trustee and the beneficiaries do designate Reynold Bubis as Successor Trustee in accordance with the terms of said instrument.

THEREFORE, IN CONSIDERATION OF THE PREMISES, and other good and valuable considerations, the receipt of which is hereby acknowledged, Reynold Bubis, Harriett Bubis and Linbar Homes, Inc., as beneficiaries or trustors under the agreement by and between Reynold Bubis, David Pollack and Martin Bubis, as Trustors, and Martin Bubis, as Trustee, dated the 20th day of July, 1972, pursuant to the provisions of Paragraph 10 of said agreement, do hereby designate Reynold Bubis, as Trustee, for the remaining property held in the name of Martin R. Bubis, Trustee, under the deed from Robert L. Freeman, Trustee, to Martin R. Bubis, Trustee, of record in Book 4648, page 396, Register's Office for Davidson County, Tennessee, conveying the property described therein located in the Fourth Civil District of Davidson County, Tennessee, the said Reynold Bubis, as said Successor Trustee under the provisions of said agreement and upon the recording of this instrument in the Register's Office for Davidson County, Tennessee, shall have all the power and be charged with all the duties set forth in said agreement and does hereby acquire title to all property, formerly held by Martin R. Bubis, Trustee, as such Successor Trustee.

Martin R. Bubis, as Trustee, joins in this agreement for the purpose of confirming his resignation as such Trustee and the designation of Reynold Bubis as Successor Trustee and also ratifies and confirms that Harriett Bubis is the owner of the beneficial interest under the terms of said agreement of the interest formerly held by him.

Executed at Nashville, Tennessee, this 2nd day of Feb, 1977.

Reynold Bubis
REYNOLD BUBIS

Harriett Bubis
HARRIETT BUBIS

LINBAR HOMES, INC.

By: Barry Seitlin
Barry Seitlin, President

Martin R. Bubis
MARTIN R. BUBIS, INDIVIDUALLY AND AS TRUSTEE

Reynold Bubis
REYNOLD BUBIS, TRUSTEE

D88098

IDENTIFICATION REFERENCE

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STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Personally appeared before me, Thelma M. Sager, a Notary Public in and for said County and State, the within named Reynold Bubis, Harriett Bubis, Martin R. Bubis, individually and as Trustee, and Reynold Bubis, Trustee, the bargainors, with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 2nd day of Feb, 1977.

Thelma M Sager
Notary Public

THELMA M. SAGER NOTARY PUBLIC DAVIDSON COUNTY, TENNESSEE

Commission Expires:

1-31-78

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Before me, Thelma M Sager, a Notary Public of the State and County aforesaid, personally appeared Barry Zeitlin, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be President of Linbar Homes, Inc., the within named bargainor, a corporation, and that he as such President, being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by himself as President.

Witness my hand and seal, at office in Nashville, Tennessee, this 2nd day of Feb., 1977.

Thelma M Sager
Notary Public

THELMA M. SAGER NOTARY PUBLIC DAVIDSON COUNTY, TENNESSEE

Commission Expires:

1-31-78